

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Patrice Jublot

Application No.: 10/538,419

Confirmation No.: 1720

Filed: September 20, 2005

Art Unit: 3663

For: METHOD AND DEVICE FOR LOADING A
FUEL ASSEMBLY INTO THE CORE OF A
NUCLEAR REACTOR

Examiner: Awai, Alexandra F.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed January 22, 2007, applicant hereby provisionally elects Group II, claims 2 - 15 for continued examination, with traverse.

The Examiner has required restriction between Group I, claim 1 drawn to a method for loading a fuel assembly; and Group II, claims 2 - 15 drawn to a device for loading a fuel assembly.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent.

The applicant actually thinks that the two groups of inventions defined by the Examiner are linked so as to form a single general inventive concept under PCT Rule 13.1, for the following reasons:

The group I, as defined in claim 1, includes the following features:

a1 - a dummy-assembly,

b1 - a step consisting in fixing the position of at least one adjacent assembly in the presence of the dummy-assembly with respect to at least a second assembly in the core,

c1 - steps consisting in moving the dummy-assembly and the fuel assembly to be loaded.

The group II, as defined in claim 2, includes the following features:

a2 - a dummy-assembly,

b2 - a tool for holding fuel assemblies comprising ... pins designed to engage ... fuel assemblies in the core,

c2 - handling means for the re-aliment tool for the fuel assemblies and a tool for holding the fuel assemblies.

The tool for holding fuel assemblies (b2) is used to fix in position at least one adjacent assembly with respect to at least a second assembly in the core (see § 0092, § 0093 and § 0113 of the patent application publication).

Feature a1 is identical to feature a2. Feature b1 corresponds to feature b2, as required under Rule 13.2 PCT, and feature c1 corresponds to feature c2, as required under Rule 13.2 PCT.

The applicant guidelines of the PCT makes clear, in section 131, that a process and a device specially designed for implementing the process meet the unity of invention criteria.

Furthermore, corresponding features b1 and b2 are not disclosed in Leclerco and define a special technical feature which determine a contribution of each of the group of invention with regard to the prior art.

In view of the above arguments, it is respectfully requested that the restriction requirement be withdrawn, and that each of the claims presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 20513-00613-US1 from which the undersigned is authorized to draw.

Dated: February 20, 2007

Respectfully submitted,

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